

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FLAT ROCK RIDERS CHAPTER OF
NOHVA,

Plaintiff,

v.

THE CINCINNATI SPECIALTY
UNDERWRITERS INSURANCE
COMPANY, a Corporation,

Defendant.

Case No.: _____

**NOTICE OF REMOVAL
OF CIVIL ACTION**

Defendant, The Cincinnati Specialty Underwriters Insurance Company (herein "CSU"), and otherwise reserving and preserving any and all rights, challenges, or defenses CSU may have, hereby file this Notice of Removal of this case from the District Court of Lincoln County, Nebraska, to the United States District Court for the District of Nebraska. The grounds for removal are as follows:

1. Plaintiff commenced its action against CSU in the District Court of Lincoln County, Nebraska, at Case No. CI 16-316, on May 19, 2016. CSU was served with Summons, by certified mail, on May 23, 2016.

2. Plaintiff's Complaint seeks money damages from CSU for attorney fees and seeks a declaration by the Court that CSU owes liability insurance coverage to Plaintiff and that Defendant has a duty to defend the Plaintiff against the lawsuit of *Jeffrey Eastman v. NPPD, et al.* ("Eastman Lawsuit"), as filed in the District Court of Lincoln County, Nebraska, at Case No. CI 16-16.

3. If it is determined that CSU is liable and has a duty to defend the Plaintiff against the Eastman Lawsuit, the amount in controversy would be in excess of \$75,000.00.

4. This action involves citizens or entities of different states:

a. Plaintiff allegedly is or was an organization functioning in the state of Nebraska.

b. CSU is a property and casualty insurance company organized and authorized to do business under the laws of the State of Delaware.

5. The citizenship of CSU, pursuant to 28 U.S.C. § 1332, and removal of this action, is proper pursuant to 28 U.S.C. § 1441, et seq.

6. Copies of the various pleadings filed in the Lincoln County District Court are attached hereto and marked as Exhibits "A", "B" and "C", accordingly:

Exhibit "A"	Petition and Praecipe
Exhibit "B"	Certified Mail Proof of Service
Exhibit "C"	Answer

7. This Notice is being filed with this Court within 30 days of the date of service of Summons on CSU.

8. Notice of filing of this Notice of Removal will be provided to counsel for Plaintiff and a copy of the Notice of Removal will be filed with the Clerk of the District Court of Lincoln County, Nebraska pursuant to 28 U.S.C. § 1446(d).

9. Under the provisions of 28 U.S.C. § 1441 and all applicable statutes, this case is removed to the United States District Court for the District of Nebraska.

WHEREFORE, CSU gives notice of this removal of the case captioned *Flat Rock Riders Chapter of NOHVA, Plaintiff, v. The Cincinnati Specialty Underwriters Insurance Company, a corporation, Defendant, Case No. CI 16-316.*

DATED this 21st day of June, 2016.

THE CINCINNATI SPECIALTY
UNDERWRITERS INSURANCE COMPANY,
Defendant

By: /s/ Thomas A. Grennan
Thomas A. Grennan #15675
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 21st day of June, 2016, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system which sent notification of such filing upon all parties who filed an appearance or motion by electronic filing in this case. In addition, a true and accurate copy of the foregoing document was transmitted by regular U.S. Mail, to the following:

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/s/ Thomas A. Grennan